IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.736 OF 2007

M/s.Hormuz Salt Works & Another .. Petitioners

V/s.

The I.T.O., H Ward Mumbai & Ors. .. Respondents

Mr.F.V. Irani with Ms.Rita Shivalkar i/by Maneksha & Sethna for the petitioners.

Mr.Ashok Kotangale for the respondents.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 9TH JULY, 2007.

P.C. :

1. Pursuant to the order of this Court dated 17th April, 2007, the Respondents have deposited the amount. On behalf of the Respondents, on instructions, learned Counsel makes a statement that they have no objection to the Petitioners withdrawing the amount.

2. From the affidavit filed, we find that the Respondents have also filed an Appeal before this Court which is pending.

3. In the light of above, this Petition can be disposed of issuing following directions :

i. Petitioner No.1 is allowed to withdraw the amount deposited in this Court.

ii. In the event the Appeal is allowed, Petitioners are bound by the order passed in the Appeal.

4. The Writ Petition is disposed of accordingly with no order as to costs.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)